

In the Drawings:

Please Amend the Drawings submitted on **09/15/2003** by Substituting Attached Sheets 1-3 containing Formal Drawings responding to the Draftsperson's Rejection mailed **12/08/2003** Cancel the Original Sheets 1-2.

Remarks

Requirement for Corrected Drawings

In a Notice to File Corrected Application Papers mailed 12/08/2003, the instant Application was held Informal because it did not comply with the regulations for the reason indicated below:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p) (1)); See Figure(s) 4.

Response

Applicant has submitted Corrected Formal Drawings for Figures 1-6 which have heavier lines and which conform to the requirements of 37 CFR 1.84 and 37 CFR 1.121. No new matter has been added.

Amendment to the Specification

Applicant is submitting a Substitute Specification. This Substitute Specification adds paragraph numbers to make it easier to refer to specific parts of the Application.

While the Application Filed **09/15/2003** included a Claim to Priority based upon being a Division of Application 09/855,549, Filed **05/16/2001**, on the Utility Patent Application Transmittal, PTO/SB/05; it did not contain such a Claim to Priority in the first sentence of the Application as required. This Amendment corrects that oversight in paragraph **[0001]**. In addition, U.S. Patent Application 09/855,549 itself Claimed Priority to U.S. Provisional Application 60/205,140, Filed **05/18/2000**, on the Utility Patent Application Transmittal, PTO/SB/05; however, it did not contain such a Claim to Priority in the first sentence of the Application as required. This Amendment also corrects that error in paragraph **[0001]**. Please note that the Filing Receipt for U.S. Patent Application 09/855,549 mailed on **07/13/2001** accurately reflected the Priority Claim as did the Updated Filing Receipt mailed **10/04/2001** and the Corrected Filing Receipt mailed **11/06/2001**.

The Inventors have Assigned their rights in this Application to the United States of America as Represented by the Secretary of the Army. As originally filed the Application did not include the required statement of Government Interest. Applicant has added the required Statement as paragraph **[0002]**

Applicant has also taken this opportunity to delete excess spaces and to correct punctuation errors such as substituting "i.e." for "ie" at paragraph [0008], line 7 and "precursor." (followed by a period) for "precursor," (followed by a comma) at paragraph [0026], line 8. Note, however, that the underlining in paragraph [0038]: "Ta₂O₅ and (1-x) Ta₂O₅-xAl₂O₃ Thin Films" was original to the Application as Filed and does not represent an addition of text.

Amendment to the Claims

As originally Filed, U.S. Patent Application 09/855,549, Filed **05/16/2001**, contained 16 Claims with Claims 1-7 being drawn to a method for fabricating composite thin films and Claims 8-16 being drawn to a thin film substrate. In an Office Action mailed **06/25/2002** Examiner Piziali, Art Unit 1775, Issued a Restriction requiring an Election between the Invention of Group I, Claims 1-7, classified in class 427, subclass 126.3 and the Invention of Group II, Claims 8-16, classified in class 428, subclass 432. Applicant Elected the Invention of Group II without Traverse, and the Examiner Rejected all Claims in a Non-Final Office Action mailed **08/01/2002**. Applicant Cancelled Claims 8-10 and 12-15 and Amended Claims 11 and 16 to add limitations distinguishing over the cited prior art; however, Examiner Piziali Issued a Final Rejection, mailed **03/13/2003** based upon an Additional Search and newly discovered prior art. Applicant responded by Filing this Divisional Application with the intention of Cancelling the previously Elected Claims 8-16 in order to have Claims 1-7 Examined, while at the same time Expressly Abandoning U.S Patent Application 09/855,549 in favor of the Continuing application. Applicant believes that the disclosed method for fabricating the disclosed thin film is new, useful, novel and non-obvious.

Applicant respectfully requests that the Corrected Formal Drawings be substituted for the Original Drawings; that the Amendment to replace the original Specification with the Substitute Specification be Entered; as well as the Amendment Cancelling Claims 8-16 which were previously held to be non-patentable.

If there are any questions, the Examiner is invited to telephone the undersigned at the local telephone number given below.

Respectfully submitted,



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8 MARCH 2004
DATE